

Mail Stop: AMENDMENT  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450



In re application of: **Klaus OBENDIEK et al.**  
Application No.: 10/663,333  
Filed: September 16, 2003  
For: **TOP FOR A CONVERTIBLE VEHICLE**

Sir:

Transmitted herewith is a **Response to Office Action (10 pages)** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☒ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

		(Col. 1)	(Col. 2)			SMALL ENTITY			OR			LARGE ENTITY
FOR:		REMAINING	HIGHEST			RATE	FEE			RATE	FEE	
	AFTER		PREVIOUSLY		PRESENT							
	AMENDMENT		PAID FOR		EXTRA							
TOTAL CLAIMS	32	minus	32	=	0	x \$ 25	\$			x \$ 50	\$	
INDEP. CLAIMS	6	minus	6	=	0	x \$100	\$			x \$200	\$0.00	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						+	\$180	\$		+	\$360	\$
						TOTAL:	\$		OR	TOTAL:	\$0.00	

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

☒ Also transmitted herewith are:

- ☒ Petition for extension under 37 C.F.R. 1.136  
☒ Other: - **Supplemental Information Disclosure Statement with PTO-1449 (3 pages) and copies of cited references;**  
- **Interview Summary and Statement of Substance of Interview (3 pages); and**  
- **Return receipt postcard.**

☒ Check(s) in the amount of \$300.00 is/are attached to cover:

- ☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☒ Petition fee for extension under 37 C.F.R. 1.136  
☒ Other: **Fee for Submission of an Information Disclosure Statement under 37 C.F.R. 1.17(p)**

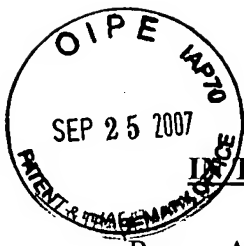
☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.  
☒ Any patent application processing fees under 37 C.F.R. 1.17.  
☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

William C. Gehris; Reg. 38,156  
DAVIDSON, DAVIDSON & KAPPEL, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
Tel: (212) 736-1940  
Fax: (212) 736-2427

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Mail Stop: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on September 21, 2007.  
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:   
Randall M. Berman



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Application of: Klaus OBENDIEK et al.  
Serial No.: 10/663,333 Confirmation No.: 3786  
Filed: September 16, 2003  
For: **TOP FOR A CONVERTIBLE VEHICLE**  
Examiner: Jason S. Morrow  
Art Unit: 3612  
Customer No.: 23280  
Attorney Docket: 487.1084

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 21, 2007

**INTERVIEW SUMMARY AND  
STATEMENT OF SUBSTANCE OF INTERVIEW**

S I R:

Applicants respectfully submit the following interview summary and statement of substance of the interview.

## INTERVIEW SUMMARY AND STATEMENT OF SUBSTANCE OF THE INTERVIEW

A telephonic interview was conducted on September 21, 2007 with applicants' representative and attorney of record William C. Gehris. The substance of the interview was that the Examiner and applicant's representative discussed the Obendiek reference (DE 101 08 493) and its interpretation as applied to the rejection of May 21, 2007 to claims 19 and 20. Applicants proposed the following amendment to overcome the current rejections:

Claim 19 (proposed amendment): A convertible vehicle top, comprising:

- a first roof part;
- a second roof part adjoining the first roof part in a closed position of the top;
- an upper link mechanism; and
- a link pivotably connected to the first roof part by a hinge being directly provided at the first roof part ~~so that the link and the first roof part are capable of rotating relative to each other~~, and wherein the upper link mechanism is disposed between the link and the second roof part so as to connect the link to the second roof part, wherein said first roof part is a middle roof part of the convertible vehicle top and the second roof part is a front roof part of the convertible vehicle top.

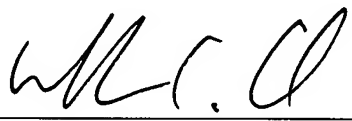
Claim 20 (proposed amendment): A convertible vehicle top, comprising:

- a first roof part;
- a second roof part adjoining the first roof part in a closed position of the top;
- an upper link mechanism; and
- a link pivotably connected to the first roof part by a hinge being directly provided at the first roof part ~~so that the link and the first roof part are capable of rotating relative to each other~~, and wherein the upper link mechanism is disposed between the link and the second roof part so as to connect the link to the second roof part, wherein said upper link mechanism forms part of a four-bar linkage including a first connecting link and a second connecting link, said first connecting link and said second connecting link being each pivotably connected to said second roof part and to said link.

The Examiner verbally agreed that the proposed amendment would overcome the current rejections.

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully Submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By:   
William C. Gehris, Reg. No. 38,156

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14th Floor  
New York, NY 10018  
(212) 736-1940